

Per California Code of Regulations, title 2, section 548.5, the following information will be posted to CalHR's Career Executive Assignment Action Proposals website for 30 calendar days when departments propose new CEA concepts or major revisions to existing CEA concepts. Presence of the department-submitted CEA Action Proposal information on CalHR's website does not indicate CalHR support for the proposal.

### A. GENERAL INFORMATION

1. Date

2022-03-02

2. Department

California Public Utilities Commission

3. Organizational Placement (Division/Branch/Office Name)

Communications Division

4. CEA Position Title

Deputy Director, Broadband

5. Summary of proposed position description and how it relates to the program's mission or purpose.  
(2-3 sentences)

Under the general direction of the Director, the Deputy Director oversees the Broadband Initiatives Branch and the Broadband, Video & Markets Branch. The Deputy Director advises Commission decision makers on policy and regulatory matters for those branches and plans, organizes, and manages the activities of staff to implement Commission decisions and procedures. This position will collaborate with other state and federal agencies and all external stakeholders to anticipate regulatory needs in the broadband industry and appropriate strategies to meet those needs. Because of the cross-cutting impacts of climate change in California, this position will collaborate with other divisions within the Commission addressing electricity, gas, water, and transportation infrastructure to pursue safe and resilient utility service across sectors.

6. Reports to: (Class Title/Level)

Director, Communications Division

7. Relationship with Department Director (Select one)

- ☒ Member of department's Executive Management Team, and has frequent contact with director on a wide range of department-wide issues.
- ☐ Not a member of department's Executive Management Team but has frequent contact with the Executive Management Team on policy issues.

(Explain):

8. Organizational Level (Select one)

☐ 1st ☐ 2nd ☒ 3rd ☐ 4th ☐ 5th (mega departments only - 17,001+ allocated positions)

## **B. SUMMARY OF REQUEST**

### **9. What are the duties and responsibilities of the CEA position? Be specific and provide examples.**

The Deputy Director manages and coordinates activities related to CPUC's broadband responsibilities, including the execution of laws, regulations, and commission orders, including those outlined in Public Utilities Code 281 and SB 156 (2021). The Deputy Director is in charge of developing and managing over \$2 billion in federal and state grant money to deploy broadband in unserved and underserved areas of the state.

The Deputy Director manages operations, competencies, and performance by continuously seeking process improvements in policies and programs related to last-mile broadband deployment, broadband adoption, affordability, and Environmental and Social Justice.

The sections under these two branches are Video & Markets; California Advanced Services Fund Adoption, Public Housing, and Consortia; California Advanced Services Fund Infrastructure, Last-Mile Federal Funding & Middle Mile, Loan Loss Reserve and Technical Assistance, and two Caseworker sections. The Deputy Director provides managerial guidance to the supervisors of each of these sections as well as serves as an escalation point in the managerial chain of command above the two branch managers.

The Deputy Director serves as the principal consultant to the Director on matters related to issues and policies affecting the Broadband Initiatives Branch and the Broadband, Video & Markets Branch. The Deputy Director represents the Commission with the public and stakeholder groups and interfaces with federal, state, and local agencies, boards, commissions, and other departments on issues and programs related to both branches, oversees public outreach activities for last-mile grant applications and planning by county, tribal, and municipal entities, collaborates with other state and federal agencies and all external stakeholders to anticipate community, as well as internet service provider needs and appropriate strategies to meet those needs.

The Deputy Director prepares correspondence at the request of the Commissioners and Governor's office for response to inquiries to the respective offices.

As required, the Deputy Director serves in an acting capacity in the Director's absence.

The Deputy Director serves as a key member of the Executive Management team and principal consultant to the Director on the formulation, implementation and evaluation of all matters related to broadband issues and policies.

The Deputy Director is responsible for managing programs in developing, adopting, and deploying short and long-range plans related to the telecommunication industries and statewide policies, provides guidance to Division staff in the interpretation and implementation of statewide policies in reference to the functions of CPUC.

**B. SUMMARY OF REQUEST (continued)**

10. How critical is the program's mission or purpose to the department's mission as a whole? Include a description of the degree to which the program is critical to the department's mission.

- ☒ Program is directly related to department's primary mission and is critical to achieving the department's goals.
- ☐ Program is indirectly related to department's primary mission.
- ☐ Program plays a supporting role in achieving department's mission (i.e., budget, personnel, other admin functions).

Description: The program's mission is central to the mission of the Public Utilities Commission, which is to implement policies for the communications industry in California, including ensuring fair, affordable universal access to necessary services; developing clear rules of the game and regulatory tools to allow flexibility without compromising due process; removing barriers that prevent a fully competitive market; and developing, advising and implementing policy on 9-1-1, back-up power and other consumer protection issues.

Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including telephone corporations. Existing law requires the Commission to develop, manage, and oversee the awarding of over \$2 billion in last-mile broadband grants to providers and local entities to close the Digital Divide.

**B. SUMMARY OF REQUEST (continued)**

11. Describe what has changed that makes this request necessary. Explain how the change justifies the current request. Be specific and provide examples.

The passage of SB 156 and AB 164 amended Public Utilities Code Section 281 to establish a new federal funding account, a loan/loss reserve fund, and a technical assistance fund totaling more than \$2 billion in federal and state money. Each fund requires new program rules and procedures and will require a total of thirty-three (33) new staff and management to implement the various programs to fund the deployment of last-mile broadband networks across the state. The increase in staff requires the addition of a Deputy Director to provide adequate oversight and management of the new Broadband Initiatives Branch in addition to the Broadband, Video & Markets Branch (57 staff in total).

### **C. ROLE IN POLICY INFLUENCE**

12. Provide 3-5 specific examples of policy areas over which the CEA position will be the principle policy maker. Each example should cite a policy that would have an identifiable impact. Include a description of the statewide impact of the assigned program.

Overall: The Governor's Executive Order N-73-20 states that over 2 million households lack access to high-speed broadband service at 100 megabits per second download, and the proposed CEA will be in charge of developing policies governing the awarding of federal and state money allocated by SB 156 and AB 164 (2021) to close the broadband gap.

Federal Last-Mile Funding Policy: SB 156 allocates \$2 billion to funding last-mile broadband projects in unserved areas of the state. The proposed CEA will be responsible for creating and articulating Commission policy that governs the awarding of this money to grant applicants.

Broadband Technical Assistance Policy: SB 156 allocates \$50 million to providing grants to local agencies and tribes to do planning for broadband projects in unserved areas of the state. The proposed CEA will be responsible for creating and articulating Commission policy that governs the awarding of this money to grant applicants.

Loan Loss Reserve Policy: SB 156 allocates \$750 million to providing seed capital to local governments and joint powers authority to raise capital through bond financing to fund broadband projects in unserved areas of the state. The proposed CEA will be responsible for creating and articulating Commission policy that governs the awarding of this money to grant applicants.

Broadband Adoption Policy: The Governor's Executive Order also states that over 8.4 million Californians do not subscribe to broadband, and the proposed CEA will be in charge of leveraging the California Advanced Services Fund Adoption Account to plan, develop, and implement policies for a grant program to close that gap through broadband adoption awards to qualified entities.

Public Housing Broadband Policy: With SB 156, changes were made to the California Advanced Services Fund Public Housing Account whereby program qualification expanded to include low-income communities and mobile home parks, and the proposed CEA will be in charge of leveraging the California Advanced Services Fund Public Housing Account to plan, develop, and implement policies for a grant program to close that gap through broadband adoption awards to qualified entities.

Broadband Mapping Policy: On the broadband mapping front, SB 156, SB 4, SB 28, and SB 41, all passed in 2021, call for the Commission to begin collecting broadband data at a more granular, location-based level, and the proposed CEA will be in charge of developing and implementing policies for this more granular-level based mapping.

**C. ROLE IN POLICY INFLUENCE (continued)**

13. What is the CEA position's scope and nature of decision-making authority?

The proposed CEA will be responsible for overall management of the two broadband branches, including hiring, performance reviews, performance tracking and reporting, audit preparations, budgeting, grant awards, staff resolutions, formal proceedings, resolution of informal complaints, public outreach, and communication with other divisions within the Commission.

14. Will the CEA position be developing and implementing new policy, or interpreting and implementing existing policy? How?

In collaboration with other divisions within the CPUC and with the five Commissioner offices, the CEA position will be interpreting and implementing existing policy under Public Utilities Code 281 (CASF), as well as Public Utilities Code 709 (Universal Service), and implementing new policy outlined in SB 156 and AB 164.